

IN RE: PETITION FOR ADMIN. VARIANCE  
N/S Susquehanna Avenue, 270' W of the  
c/l Middle River Avenue  
(1224 Susquehanna Avenue)  
15<sup>th</sup> Election District  
5<sup>th</sup> Councilmanic District

Eric W. Baumgart  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 99-328-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Eric W. Baumgart. The Petitioner seeks relief from Sections 1B02.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with a width of 50 feet in lieu of the required 70 feet, a side yard setback of 12 feet in lieu of the required 15 feet, and a combined sum of the side yards of 24 feet in lieu of the minimum required 25 feet, for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the

ORDER RECEIVED FOR FILING  
Date 3/18/99  
By [Signature]

health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented have established that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner, and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

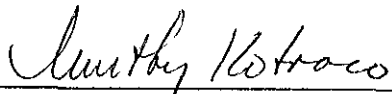
ORDER RECEIVED FOR FILING  
Date 3/15/09  
By [Signature]

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18<sup>th</sup> day of March, 1999 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with a width of 50 feet in lieu of the required 70 feet, a side yard setback of 12 feet in lieu of the required 15 feet, and a combined sum of the side yards of 24 feet in lieu of the minimum required 25 feet, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated March 5, 1999, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 3/15/99  
By [Signature]

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: March 5, 1999

TO: Arnold Jablon  
FROM: R. Bruce Seeley *RSJ/99*  
SUBJECT: Zoning Item #328

Baumgart Property - 1224 Susquehanna Avenue

Zoning Advisory Committee Meeting of March 1, 1999

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X GWM: An evaluation of the Septic System will be required prior to building permit approval.



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

March 19, 1999

Mr. Eric W. Baumgart  
1224 Susquehanna Avenue  
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
N/S Susquehanna Avenue, 270' W of the c/l Middle River Avenue  
(1224 Susquehanna Avenue)  
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Eric W. Baumgart - Petitioner  
Case No. 99-328-A

Dear Mr. Baumgart:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission  
45 Calvert Street, 2<sup>nd</sup> Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File



CRITICAL AREA

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at #1224 Susquehanna Avenue

which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 & 304.1, 8C2R,

TO PERMIT A DWELLING ON A LOT WITH A WIDTH OF 50ft. IN  
LIEU OF THE REQUIRED 70ft; A SIDEYARD SETBACK OF 12ft.  
IN LIEU OF THE REQUIRED 15ft; AND, A COMBINED SUM OF 4 SIDEYARDS  
OF 24ft. IN LIEU OF THE REQUIRED 25ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

### Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

### Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

### Legal Owner(s):

Eric W. Baumgart

Name - Type or Print

Signature

Name - Type or Print

Signature

1224 Susquehanna Avenue

Address

Telephone No.

Baltimore, MD. 21220

City

State

Zip Code

### Representative to be Contacted:

Joseph W. McGraw, Jr., c/o JST Engineering Co., Inc.

Name

6912 North River Drive

Address

410-335-9142

Telephone No.

Balt., MD. 21220-1059

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By JUM Date 2-19-99

Estimated Posting Date 2-25-99

CASE NO. 99-328A

Date 9/15/98

By

ORDER RECEIVED FOR FILING  
3/13/99

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1224 Susquehanna Avenue  
Address  
Balt., MD. 21220  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The property known as #1224 Susquehanna Avenue is lot #44 as shown on the PLAN OF LONG BEACH ESTATES, which plat is recorded among the land records of Baltimore County in plat book 3, folio 178. The property is currently improved by an existing 1 1/2 story frame dwelling which we would like to replace with a newer modular dwelling. Like many other lots in this subdivision, Lot 44 is only 50 feet wide but 272 feet +/- deep. Since the property is Zoned D.R. 3.5, the minimum lot width required is 70 feet and the minimum side yard is 10 feet while the total of the side yards is required to be 25 feet. The proposed dwelling we would like to build is a 26 foot wide modular home which would be centered on the 50 foot lot. Therefore, we understand that we would need two variances. The first variance would be for the required lot width and the second would be for the total of the side yards since we are proposing to only have 24 feet total, and an individual side yard of 12 feet instead of the required 15 feet.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

x [Signature]  
Signature  
Eric W. Baumgart  
Name - Type or Print

[Signature]  
Signature  
Linda L. Baumgart  
Name - Type or Print

-----  
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of December, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ERIC W. BAUMGART & LINDA L. BAUMGART  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

12-24-98  
Date

Dawn M. DeBraccio  
Notary Public  
My Commission Expires 3-1-01

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1224 Susquehanna Avenue  
Address  
Balt., MD. 21220  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

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That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Eric W. Baumgart  
Name - Type or Print

Signature

Linda L. Baumgart  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of December, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ERIC W. BAUMGART & LINDA L. BAUMGART

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date

12-24-98

Notary Public

My Commission Expires

3-1-01





# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at #1224 Susquehanna Avenue

which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302.3.C.1 & 304.1; BCZR,

TO PERMIT A DWELLING ON A LOT WITH A WIDTH OF 50 FT. IN LIEU OF THE REQUIRED 70 FT; A SIDEYARD SETBACK OF 12 FT. IN LIEU OF THE REQUIRED 15 FT; AND, A COMBINED SUM OF SIDEYARDS OF 24 FT. IN LIEU OF THE REQUIRED 25 FT.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

Eric W. Baumgart

Name - Type or Print

Signature

Name - Type or Print

Signature

1224 Susquehanna Avenue

Address

Telephone No.

Baltimore, MD. 21220

City

State

Zip Code

## Representative to be Contacted:

Joseph W. McGraw, Jr., c/o JST Engineering Co., Inc.

Name

6912 North River Drive

Address

410-335-9142

Telephone No.

Balt., MD. 21220-1059

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

CASE NO.

99-328A

Reviewed By

JCM

Date

2-19-99

Estimated Posting Date

2-28-99

REV 9/15/98

**ZONING DESCRIPTION FOR 1224 Susquehanna Avenue.**

Beginning at a point on the north side of Susquehanna Avenue which is 40 feet wide at the distance of 270 feet west of the centerline of the nearest improved intersecting street Middle River Avenue which is 40 feet wide. Being Lot #44, in the subdivision of Long Beach Estates as recorded in Baltimore County Plat. Book #3, Folio #178, containing 13,675 square feet. Also known as 1224 Susquehanna Avenue and located in the 15TH Election District, 5TH Councilmanic District.



328

99-328-A

BALTIMORE COUNTY, MARYL/  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 062295

DATE 2.19.99 ACCOUNT ROUT-6150  
AMOUNT \$ 50.00

RECEIVED  
FROM:

ERIC BAUMGART 1224 SUSQUEHANNA AVE.

(OIL) Ad. VNR.

FOR:

99-328-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

*Scuy*

PAID RECEIPT

PROCESS ACTUAL TIME  
2/27/1999 2/19/1999 14:37:00

REC 0002 CASHIER JRIC JON DRYDEN

5 MISCELLANEOUS CASH RECEIPT

Receipt # 001153

CR NO. 062295

50.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

**CERTIFICATE OF POSTING**

RE: CASE # 99-328-A

PETITIONER/DEVELOPER:

(Eric Baumgart)

DATE OF Closing

(Mar 15, 1999)

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Ave.  
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property located at  
1224 Susquehanna Ave. Baltimore, Maryland 21220\_\_\_\_\_

2-26-99 \_\_\_\_\_

[Month, Day, Year]

Sincerely,

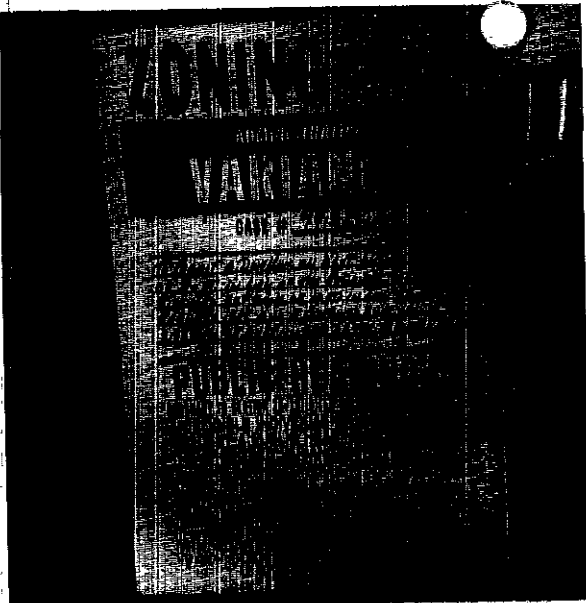
  
(Signature of Sign Poster & Date)

\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_\_

\_\_\_\_ 325 Nicholson Road \_\_\_\_\_

\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_\_

\_\_\_\_ (410)-687-8405 \_\_\_\_\_  
(Telephone Number)



**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**Case Number 99- 328 -AAddress 1224 SUSQUEHANNA AveContact Person: J. MERREY  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 2.19.99Posting Date: 2.28.99Closing Date: 3.15.99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

-----  
(Detach Along Dotted Line)**Petitioner: This Part of the Form is for the Sign Poster Only****USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 99- 328 -AAddress 1224 SUSQUEHANNA Ave.Petitioner's Name E. BAYMLARTTelephone (410) 335-9142

Posting Date: \_\_\_\_\_

Closing Date: \_\_\_\_\_

Wording for Sign: A. VARIANCE  
To Permit A DWELLING ON A LOT WITH A WIDTH OF  
50ft. IN LIEU OF THE REQUIRED 70ft.; A SIDEYARD SETBACK OF  
12ft. IN LIEU OF THE REQUIRED 15ft.; AND, A COMBINED SUM OF  
SIDEYARDS OF 24ft. IN LIEU OF THE REQUIRED 25ft.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 328

Petitioner: ERIC W. & LINDA L. BAUMGART

Location: 1224 SUSQUEHANNA AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOSEPH W. MCGRAW, JR. % JST ENGINEERING CO., INC.

ADDRESS: 6912 NORTH RIVER DRIVE

BALT. MD. 21220-1059

PHONE NUMBER: 410-335-9142

AJ:ggg

(Revised 09-24-96)

99-328-A



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 15, 1999

Mr. Joseph W. McGraw, Jr.  
JST Engineering Co., Inc.  
6912 North River Drive  
Baltimore, MD 21220-1059

RE: Case No.: 99-328-A  
Petitioner: Eric Baumgart  
Location: 1224 Susquehanna Avenue


Dear Mr. McGraw:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 19, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

  
W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures





**Baltimore County  
Fire Department**

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

March 11, 1999

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 29, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

315, 316, 317, 319, 321, 325, 326, 327, 328 AND 329

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper





**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor  
John D. Porcari  
Secretary  
Parker F. Williams  
Administrator

Date: 2.26.99

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

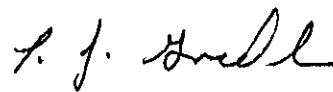
RE: Baltimore County  
Item No. 328 JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

  
for Michael M. Lenhart, Acting Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** March 3, 1999

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** 1224 Susquehanna Avenue

### INFORMATION:

**Item Number:** 328

**Petitioner:** Eric Baumgart

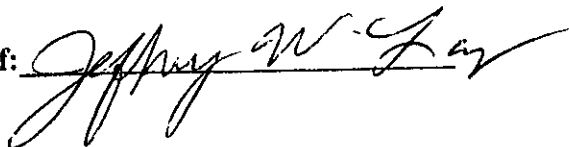
**Zoning:** DR 3.5

**Requested Action:** Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to 1) replace an existing home with a new home on an undersized lot and; 2) the requested variances to allow a lot width of 50 feet in lieu of the required 70 feet, a side yard setback of 12 feet in lieu of the required 15 feet and a combined sum of side yard setbacks of 24 feet in lieu of the required 25 feet. The proposed dwelling is in the sewer moratorium area (Bill #14-99), which may effect whether the petitioner will be permitted to build at this point in time.

**Section Chief:**



AFK/JL:

**INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM**

**TO:** Director, Office of Planning & Community Conservation  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

**B** Permit Number

3/15/99

**FROM:** Arnold Jablon, Director, Department of Permits & Development Management

**RE:** Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

**MINIMUM APPLICANT SUPPLIED INFORMATION:**

☐ ERIC W. & LINDA L. BAUMGART 1224 SUSQUEHANNA AVE. (410) 335-6702  
Print Name of Applicant Address Telephone Number

☐ Lot Address 1224 SUSQUEHANNA AVENUE Election District 15<sup>TH</sup> Council District 5<sup>TH</sup> Square Feet 13,675<sup>1</sup>/<sub>2</sub> SQ. FT.

Lot Location (N) E S W / side / corner of SUSQUEHANNA AVE. 270' feet from N E S W corner of E MIDDLE RIVER AVE.  
(street) (street)

Land Owner SAME Tax Account Number 15-1502000050

Address 1224 SUSQUEHANNA AVE. Telephone Number 410  
BALT. MD. 21220

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation

	<b>PROVIDED?</b>	
	<b>YES</b>	<b>NO</b>
1. This Recommendation Form (3 copies)	<u>✓</u>	<u>   </u>
2. Permit Application	<u>   </u>	<u>✓</u>
3. Site Plan	<u>   </u>	<u>   </u>
Property (3 copies)	<u>✓</u>	<u>   </u>
Topo Map (available in Rm 206 C.O.B.) (2 copies) <small>(please label site clearly)</small>	<u>   </u>	<u>   </u>
4. Building Elevation Drawings	<u>✓</u>	<u>   </u>
5. Photographs (please label all photos clearly)	<u>   </u>	<u>   </u>
Adjoining Buildings	<u>✓</u>	<u>   </u>
Surrounding Neighborhood	<u>✓</u>	<u>   </u>

Residential Processing Fee Paid  
Codes 030 & 080 (\$85)

Accepted by                       
                                    2A0M

Date

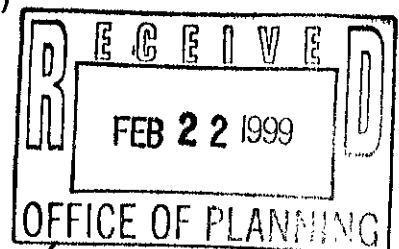
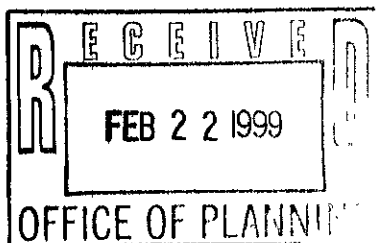
**TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!**

**RECOMMENDATIONS/COMMENTS:**

☐ Approval    ☐ Disapproval    ☒ Approval conditioned on required modifications of the permit to conform with the following recommendations:

*The proposed dwelling is in the sewer moratorium area which may affect whether the petitioner will be permitted to build at this point in time*

99-328A



Signed by: Jeffrey W. Long  
for the Director, Office of Planning & Community Conservation

Date: 3/3/99

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING  
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2  
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted  
for filing by \_\_\_\_\_ on \_\_\_\_\_  
Date (A)

A sign indicating the proposed Building must be posted on the property for  
fifteen (15) days before a decision can be rendered. The cost of filing is  
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,  
a decision can be expected within approximately four weeks. However, if a valid  
demand is received by the closing date, then the decision shall only be rendered  
after the required public special hearing.

\*SUGGESTED POSTING DATE \_\_\_\_\_ D (15 Days Before C)

DATE POSTED \_\_\_\_\_

HEARING REQUESTED-YES \_\_\_\_\_ NO \_\_\_\_\_ -DATE \_\_\_\_\_

CLOSING DAY (LAST DAY FOR HEARING DEMAND) \_\_\_\_\_ C (B-3 Work Days)

TENTATIVE DECISION DATE \_\_\_\_\_ B (A + 30 Days)

\*Usually within 15 days of filing

-----  
CERTIFICATE OF POSTING

District \_\_\_\_\_

Location of property: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Signature

Number of Signs: \_\_\_\_\_

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: March 5, 1999

TO: Arnold Jablon  
FROM: R. Bruce Seeley *RS/4p*  
SUBJECT: Zoning Item #328

Baumgart Property - 1224 Susquehanna Avenue

Zoning Advisory Committee Meeting of March 1, 1999

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X   The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
  - Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
  - Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
  - X   Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
  - X   GWM: An evaluation of the Septic System will be required prior to building permit approval.

Close 3/15

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO:        Arnold Jablon, Director  
            Department of Permits & Development  
            Management

Date:    March 19, 1999

FROM:     Robert W. Bowling, Supervisor  
            Bureau of Development Plans Review

SUBJECT:   Zoning Advisory Committee Meeting  
            for March 1, 1999  
            Item No. 328

The Bureau of Development Plans Review has reviewed the subject zoning item. Susquehanna Avenue is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation for this site is 11.0 feet.

A public sanitary sewer, the Long Beach Collector sewer, is scheduled for public contract in July of this year.

RWB:HJO:jrb

cc:    File

ZONE0301.328



Baltimore County  
Fire Department

Clue 3/15  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

March 11, 1999

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 29, 1999

Item No.: See Below                      Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

315, 316, 317, 319, 321, 325, 326, 327, (328) AND 329

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

328



EXISTING HOUSE ON SITE FROM SUSQUEHANNA AVE.  
(LOOKING NORTH)



EXISTING HOUSE ON SITE FROM RIVER  
(LOOKING SOUTH)

99-328-A





EXISTING HOUSE ON SITE FROM WEST  
(LOOKING EAST)



FRONT YARD FROM EXISTING HOUSE  
(LOOKING NORTH)



EXISTING HOUSE ON LOT IMMEDIATELY TO EAST  
(LOOKING NORTH FROM ROAD)



EXISTING HOUSE ON LOT (2<sup>ND</sup>) TO EAST  
(LOOKING NORTH FROM ROAD)



EXISTING HOUSE ON LOT IMMEDIATELY TO WEST  
(LOOKING NORTH FROM ROAD)



EXISTING HOUSE ON LOT (2<sup>ND</sup>) TO WEST  
(LOOKING NORTH FROM ROAD)



IMPROVEMENTS ON LOT IMMEDIATELY TO EAST FROM SUBJECT SITE.

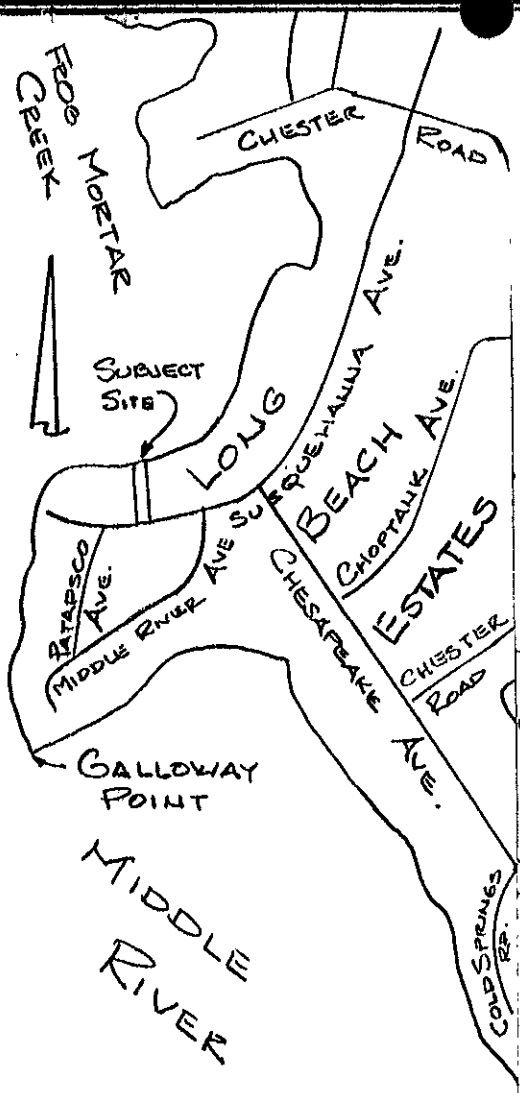


EXISTING HOUSE ON LOT IMMEDIATELY TO WEST  
FROM SUBJECT SITE

# FROG MORTAR GREEN

## NOTES:

1. THERE ARE NO KNOWN PRIOR ZONING HEARINGS FOR THIS SITE.
2. THE CONTOURS SHOWN HEREON ARE FROM FIELD RUN TOPOGRAPHY.
3. THIS SITE AND THE SURROUNDING PROPERTY ARE ZONED D.R. 3.5.
4. THIS SITE IS SHOWN ON BALTIMORE COUNTY'S 200' ZONING MAP N.E. 2-K.
5. THE EXISTING SEPTIC SYSTEM WILL BE USED UNTIL BALT. CO. COMPLETES INSTALLATION OF THE NEW SANITARY SEWER LINE.
6. PUBLIC WATER IS AVAILABLE FOR THIS SITE IN SUSQUEHANNA AVE. (SEE CONTINUED NOTES BELOW)



## VICINITY SKETCH

SCALE: 1" = 1000'

## CONTINUED NOTES

7. THIS SITE LIES WITHIN THE CHESAPEAKE BAY CRITICAL AREA
8. THIS SITE LIES IN A ZONE A-10 + B FLOOD PLAIN ACCORDING TO COMMUNITY PANEL #240010-044SB DATED MARCH 2, 1981.

Lot 45 &  
Long Beach Estates  
3/178  
FREDERICK BRANTZ  
15-1502655380  
5043/339

NORTHERLY

TO BE MOVED TO BACK YARD

EXISTING SEPTIC AREA  
(SEE NOTE #5)

Lot 43-Long Beach Estates (3/178)  
FRANCIS K. + MICHELLE L.  
OLDEWURTEL  
15-1502650630  
11304/649

NORTHERLY

#1224  
EXIST. 1/2 STORY  
FRAME DWELLING  
(TO BE RAISED)

PROPOSED 26' X 46'  
2 STORY DWELLING  
WITH CRAWL SPACE  
(CROSS HATCHED)

PROPOSED  
GRAVEL  
PARKING  
AREA

270' TO THE CENTERLINE  
OF MIDDLE RIVER AVE.  
EXIST. WATER  
METER

J.S.T. Engineering Co., Inc.  
6912 North River Drive  
Baltimore, MD. 21220  
410 335-9142 Fax 410 335-9144

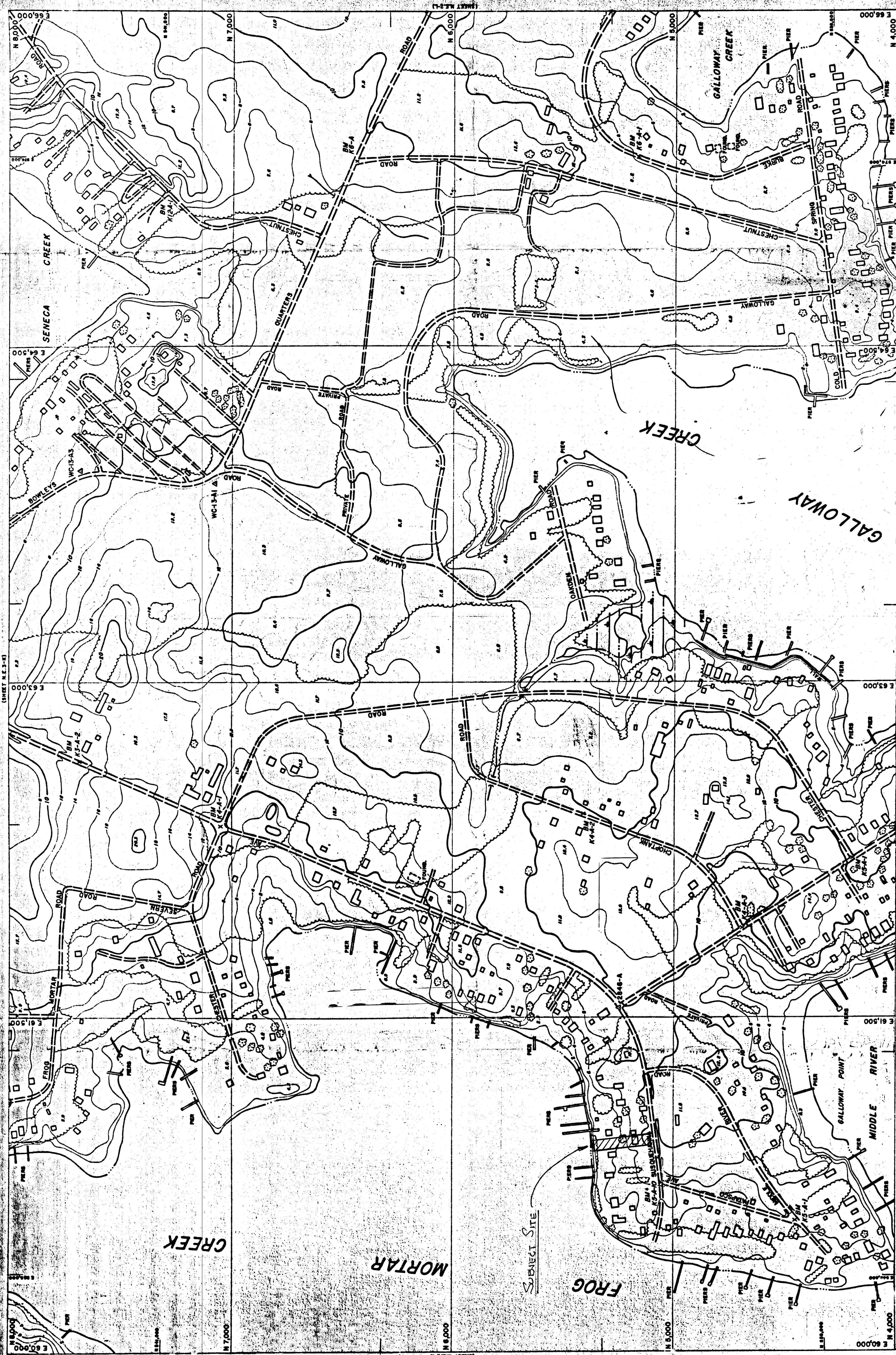
Item #99-328-A

Scale: 1" = 30' Date: 10-22-98

PLAN TO ACCOMPANY THE  
ADMINISTRATIVE VARIANCE HEARING  
FOR  
ERIC W. + LINDA L. BAUMGART  
1224 SUSQUEHANNA AVENUE  
15TH ELECTION DISTRICT  
5TH COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MD.

99-328-A





PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE		LOCATION		SHEET	
	BY	DATE	1" = 200'		BOWLEY'S QUARTERS		N.E. 2-K
			-DATE OF PHOTOGRAPHY DEC. 1954				

99-328-A

Topography Compiled By Photogrammetric Methods  
ABRAMS AERIAL SURVEY CORP. LANSING, MICH.









BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	328	328
DATE OF PHOTOGRAPHY	BOWLEYS QUARTERS	N.E. 2-K
JANUARY 1986		99-328-A